

Submitted by
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The Crime Victims Rights Act
MCL 780.751 - 780.834
Art 1 Sec. 24 of the Michigan Constitution

- Michigan passed its first Crime Victim Rights Act (CVRA) in 1985.
- In 1988, we expanded the CVRA to confer rights on victims of assaultive misdemeanants and juvenile offenders. Article 1, section 24 was added to the Michigan Constitution and our laws were nationally recognized as models for the rest of the country.
- The CVRA and Art. 1, sec. 24 mandated new duties on local government, such as:
 - Providing all victims with written information regarding their constitutional and statutory rights
 - Providing notices to victims of all court hearings
 - Allowing victims to speak to the court at sentencing
 - Requiring courts to order full restitution to the victim
 - Allowing victims to address the parole board
 - Notifying the victim of the release of their attacker from jail or prison
- When the CVRA was created in 1985, the state also recognized that it was mandating new services on local governments. In order to comply with the Headlee amendment to the state constitution, the state also provided the means to fully fund this state mandate.
- MCL 780.901 – 780.911 established the Crime Victim Services Fund. Fees are assessed on every convicted felon, and on most convicted misdemeanants and juveniles. The Crime Victim Services Commission oversees the Crime Victim Services Fund and determines how much money is necessary to fund the services mandated by the CVRA. They then allocate that money from the fund to local governments that are required to provide victim rights services. They have been very responsible with their stewardship of the fund.
- As local governments created and developed the programs necessary to comply with the CVRA, the annual assessments paid by defendants exceeded the annual cost of funding the local programs. The Crime Victims Services Commission appropriately banked those dollars for the future, knowing that costs would soon outpace revenues.
- The annual cost of appropriately funding existing crime victim services in FY 2007 was approximately \$11.3 Million. The current assessment on criminal defendant raises approximately \$9 million annually. It's clear that unless additional revenue is raised, the reserve will soon be exhausted, and the state will not be able to meet its Headlee obligation.
- In the 2008-2009-2010 budgets, the crime victim's rights fund was further depleted by paying for five important state services, previously supported by state general fund. However, these new state services cost the fund more than \$5 million annually, dramatically reducing the amount available to serve victims as required by the CVRA and Art. 1, sec. 24 in FY 2010 and beyond.
- We urge you to report HB 5661, 5667, and 5668 to protect and improve this vital resource that has made *The William VanRegenmorter Crime Victim Rights Act* the model for the country. Without adequate, dedicated funds, local government will not be able to provide the services our victims deserve and our Constitution demands.